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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,614	10/06/2003	Takeshi Watanabe	9281-4690	3329

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Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610

EXAMINER

CHIEN, LUCY P

ART UNIT	PAPER NUMBER
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2871

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/679,614	Applicant(s) WATANABE, TAKESHI	
	Examiner LUCY P. CHIEN	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8 and 10-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/6/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/2/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claim 1,4,5,8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,4,5,8,11,12 rejected under 35 U.S.C. 103(a) as being unpatentable over Hara Chie et al (JP 08-281856) in view of Kubo Koichi et al (US 06-043310)

Regarding Claim 1,11,12,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) a transparent coordinate input device comprising a first transparent base material (1b) having a first transparent resistance film thereon (3b), and a second transparent base material (1) facing said first transparent base material (1b) with a clearance there between (gap formed by 4) and having a second transparent resistance film (3) disposed below the first transparent resistance film (3b), plural ridge portions (3 the zigzag electrode) are formed only on a surface of the first transparent base material (1b) which faces the second transparent base material. (note: if you flip the figure 180 degrees, the first transparent base material with the ridges is disposed below the second transparent base material) The ridges are transparent having a predetermined pitch in at least one

of said first and second transparent resistance films, wherein the forming pitch of said ridge portions is between 300 μm which are overlapping ranges of 100 to 5000 μm inclusive [0010]. See *In re Aller*, 105 USPQ 233.

Hara Chie et al does not disclose the ridge portions have a polygonal shape in section, are narrow in width, and are projected strips longitudinally extending in one direction. The ridge portions adjacent to each other are formed with a predetermined pitch and formed by continuously extending the ridge portions.

Kubo Koichi et al (Drawing 10) discloses the ridge portions (106)(undulations, irregularities are all ridges) have a polygonal shape (having many sides) in section and are projected strips longitudinally extending in one direction.

It would have been obvious to modify Hara Chie et al's ridges to include Kubo Koichi et al's ridges (106) having a polygonal shape in section and are projected strips longitudinally extending in one direction motivated by the desire to produce uniform light and improve the brightness of the display (abstract).

Regarding Claim 4,

In addition to Hara Chie et al and Kubo Koichi et al as disclosed above, Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein the heights of said ridge portions are set to range from 0.5 or more or 5 μm or less which is an overlapping range of 0.1 to 10 μm inclusive.[0010] See *In re Aller*, 105 USPQ 233.

Regarding Claim 5,

In addition to Hara Chie et al and Kubo Koichi et al as disclosed above, Hara Chie et al discloses (abstract and drawing 1 and drawing 3) a liquid crystal display panel which [0004].

Regarding Claim 8.

In addition to Hara Chie et al and Kubo Koichi et al as disclosed above, Kubo Koichi et al (Drawing 10) discloses wherein said ridge portion (106) is extended in a direction inclined at a constant angle with respect to each of two perpendicular sides for partitioning a pixel of said liquid crystal display panel.

Regarding Claim 10.

In addition to Hara Chie et al and Kubo Koichi et al as disclosed above, Kubo Koichi et al (Drawing 10) discloses the ridge portion has a triangular shape in section.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUCY P. CHIEN whose telephone number is (571)272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lucy P Chien
Examiner
Art Unit 2871

/David Nelms/
Supervisory Patent Examiner, Art Unit 2871